IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

WP(C).No. 22617 of 2005(P)

PETITIONER:

J.JAYARAJ, WORKSHOP INSTRUCTOR IN
ELECTRICAL ENGINEERING, CENTRAL POLYTECHNIC
COLLEGE, THIRUVANANTHAPURAM.

BY ADV. SMT.I.SHEELA DEVI

RESPONDENTS:
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1. THE STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO GOVERNMENT, DEPARTMENT OF TECHNICAL
EDUCATION, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF TECHNICAL EDUCATION,
THIRUVANANTHAPURAM.

3. THE JOINT DIRECTOR, OFFICE OF THE
DIRECTOR OF TECHNICAL EDUCATION,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SMT. R. BINDU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/03/2007, ALONG WITH WPC 14479 OF 2005 AND CONNECTED CASES THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE CIRCULAR NO. 54/92/(138)/FIN DATED 6.11.1992 ISSUED BY THE FIRST RESPONDENT.

EXT.P2 TRUE COPY OF THE ORDER NO. G.O. (D) NO. 554/84/(597)/FIN DATED 27.9.1984 ISSUED BY THE FIRST RESPONDENT.

EXT.P3 TRUE COPY OF THE ORDER NO. 24 208/PRU.1/96/FIN DATED 24.6.96 ISSUED BY THE 2ND RESPONDENT.

EXT.P4 TRUE COPY OF THE ORDER G.O. (MS) NO. 158/98/H.EDN. DATED 21.12.98 ISSUED BY THE FIRST RESPONDENT.

EXT.P5 TRUE COPY OF THE PROCEEDINGS NO. EC3-52217/95 DATED 2.6.99 ISSUED BY THE 2ND RESPONDENT.

EXT.P5(a) TRUE COPY OF THE PROCEEDINGS NO. EC4/8199/99/DTE DATED 2.6.99 ISSUED BY THE 2ND RESPONDENT.

EXT.P5(b) TRUE COPY OF THE PROCEEDINGS NO. E2/1058/99 DATED 9.12.1999 ISSUED BY THE 2ND RESPONDENT.

EXT.P5(c) TRUE COPY OF THE PROCEEDINGS NO. DP1/970/2000 DATED 17.9.2001 ISSUED BY THE 2ND RESPONDENT.

EXT.P6 TRUE COPY OF THE PROCEEDINGS NO. EB4/25041/02(ii) DATED 17.2.2004 ISSUED BY THE 2ND RESPONDENT.

EXT.P7 TRUE COPY OF THE ORDER NO. EC4/851/04 DATED 5.3.2004 ISSUED BY THE 2ND RESPONDENT.

EXT.P8 TRUE COPY OF THE JUDGMENT IN WPC 7197 OF 2005 DATED 2.3.2005 BY THE HONOURABLE HIGH COURT OF KERALA.

EXT.P9 TRUE COPY OF THE ORDER NO. 9099/L3/2005/H.EDN. DATED 18.6.2005 ISSUED BY THE FIRST RESPONDENT.

EXT.P10 TRUE COPY OF THE ORDER NO. EB4/9311/05/DATED 5.7.2005 ISSUED BY THE 2ND RESPSONDENT.

EXT.P11 TRUE COPY OF THE ORDER NO. G.O. (Rt) NO.926/04/H.EDN. DATED 12.7.2004 ISSUED BY THE 2ND RESPONDENT.

RESPONDENTS' EXHIBITS: NIL

TRUE COPY

P.S. TO JUDGE.

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO.22617, 14479, 18306, &
28835 of 2005 & 13180, 10297,1002,
27994 & 27531 OF 2006

Dated this the 13th day of March, 2007

JUDGMENT

Petitioners are workshop instructors working in Government Polytechnics. Prayer in the WPs. is for direction to the respondents to promote the petitioners to the cadre of Assistant Lecturer. Respondents have stated that the post of Assistant Lecturer stands abolished in Government Polytechnics from 21.12.1998 and in private colleges with effect f rom 31.5.2000. Petitioners obviously cannot claim promotion to an abolished post. As workshop instructors petitioners have got higher scale of pay of Rs. 5500-9075/- on completion of 10 years of service. The next promotion post now available to the petitioners is stated to be Foreman. Petitioners have necessarily to wait for promotion to the next cadre and obviously cannot seek promotion to the abolished post of Assistant Lecturer. A similar view is taken by this Court vide judgment in WPC 6606 of 2005 dated 27.2.2007. In the circumstances, these WPs are also dismissed following the said judgment.

(C.N.RAMACHANDRAN NAIR)
Judge